

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 18, 2021**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIA MENDEZ-GUTIERREZ,

Defendant.

No. 1:21-CR-02007-SAB-1

ORDER GRANTING UNITED  
STATES MOTION TO WITHDRAW  
MOTION FOR DETENTION AND  
SETTING CONDITIONS OF  
RELEASE

**ECF Nos. 9, 26**

On Thursday, February 18, 2021, Defendant appeared before the Court.

With her consent, Defendant appeared by video from Yakima County Jail and was represented by Greg Scott and assisted by federal court-certified interpreter Maria Escobedo-Gonzalez. Assistant United States Attorney Richard Burson represented the United States.

The United States orally moved to withdraw its Motion for Detention (ECF No. 26) and concurred with the release on conditions.

**ACCORDINGLY, IT IS ORDERED:**

1. The United States' Motion to Withdraw Motion for Detention (ECF

ORDER DENYING UNITED STATES' MOTION FOR DETENTION AND  
SETTING CONDITIONS OF RELEASE - 1

1 **No. 26)** is **GRANTED**. The United States' Motion for Detention (**ECF No. 9**) is  
2 **DENIED** as moot.

3 2. If a party desires this Court to reconsider conditions of release  
4 because of material and newly discovered circumstances under 18 U.S.C. §  
5 3142(f), that party shall file a motion with the Court, served upon the United States  
6 Attorney, stating what circumstances are new, how they are established, and the  
7 requested change in conditions of release.

8 3. If a party seeks review of this Order by another court pursuant to 18  
9 U.S.C. § 3145(a), counsel shall adhere to the Detention Order Review Protocol  
10 found in LCrR 46(k).

11 4. Defendant is bound over to Chief Judge Stanley A. Bastian for further  
12 proceedings.

13 5. Defendant shall abide by the following conditions at all times:

14 **STANDARD CONDITIONS OF RELEASE**

15 1. Defendant shall not commit any offense in violation of federal, state  
16 or local law. Defendant shall advise the supervising Pretrial Services Officer and  
17 defense counsel within one business day of any charge, arrest, or contact with law  
18 enforcement. Defendant shall not work for the United States government or any  
19 federal or state law enforcement agency, unless Defendant first notifies the  
20 supervising Pretrial Services Officer in the captioned matter.

1           2.     Defendant shall immediately advise the Court and the United States  
2 Attorney in writing before any change in address.

3           3.     Defendant shall appear at all proceedings and surrender as directed for  
4 service of any sentence imposed.

5           4.     Defendant shall sign and complete form A.O. 199C before being  
6 released and shall reside at the address furnished.

7           5.     Defendant shall not possess a firearm, destructive device or any  
8 dangerous weapons.

9           6.     Defendant shall report to the U.S. Probation/Pretrial Services office  
10 before or immediately after release and shall report as often as they direct, at such  
11 times and in such manner as they direct.

12          7.     Defendant shall contact defense counsel at least once a week.

13          8.     Defendant is further advised it is unlawful for any person who is  
14 under indictment for a crime punishable by imprisonment for a term exceeding one  
15 year, to receive, ship or transport in interstate or foreign commerce any firearm or  
16 ammunition or receive any firearm or ammunition which has been shipped or  
17 transported in interstate or foreign commerce.

18          9.     Defendant shall refrain from use or unlawful possession of a narcotic  
19 drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed  
20 by a licensed medical practitioner in conformance with Federal law. Defendant

1 may not use or possess marijuana, regardless of whether Defendant has been  
2 authorized medical marijuana under state law.

3 10. Defendant shall surrender any passport to Pretrial Services and shall  
4 not apply for a new passport.

5 **SPECIAL CONDITIONS OF RELEASE**

6 1. Defendant shall remain in the Eastern District of Washington unless  
7 given permission by the United States Probation/Pretrial Services Office.

8 2. Defendant shall avoid all contact, direct or indirect, with any co-  
9 defendants and with any persons who Defendant would reasonably know are or  
10 may become a victim or potential witness in the subject investigation or  
11 prosecution. Except, Defendant shall be permitted to have contact with co-  
12 defendant J.P.G who is her husband. Defendant may not, however, discuss the  
13 underlying criminal matter or its investigation with J.P.G.

14 3. Defendant shall notify the United States Probation/Pretrial Services  
15 Office within 24 hours of any change in address, telephone number, or  
16 employment.

17 4. Defendant shall execute a \$10,000 percentage bond with 10% down,  
18 which must be co-signed by an individual with lawful status in the United States.  
19  
20

1 DATED February 18, 2021.

2 s/Mary K. Dimke

3 MARY K. DIMKE

4 UNITED STATES MAGISTRATE JUDGE